

Ryan B Palmer, Chief
Telecommunications Access Policy Division
Wireline Competition Bureau
Federal Communications Commission

Dated: May 13, 2019

RE: Mountain View-Birch Tree School District FRN: 1699115822 App#: 16105093

In the Matter of Request for Review by CXtec dba CableExpress Corp. (SPIN 143005790) of Decision of Universal Service Administrator

Dear Mr. Ryan Palmer,

I am writing to request your consideration of our extraordinary circumstances that have caused us to submit request for payment outside of the Commission's invoicing rules.

We had a team leader, that was responsible for the submission of the BEAR forms online. He was not completing his job in the manner that he was hired for, he left (April 2018). The knowledge of the E-Rate and Federal Commission Rules was not transferred to anyone because the position was vacant for several months. I have been employed (Aug 2018) in a capacity that is intended to take on the leadership role of the vacant position and started to educate myself on the rules and the appropriate processes for USAC, E-Rate and FCC, I am still learning as we go. It appears we are currently submitting our BEAR/E-Rate forms by the rules. However, we have three accounts that were part of the circumstances that led to a significant amount of E-rate funding (\$78,771.49) that we have been unable to have released to us.

We filed FCC form 474 on 8/27/18 and submitted a customer service case # 253952, when we realized that this account had not been submitted for ERate payment. We received the denial for the Invoice Deadline Extension Request on 10/31/2018, we immediately attempted to file a request for review with all the pertinent information. It appears, that we failed to provide enough information or make a case for our extraordinary circumstances.











The product was delivered to Mountain View-Birch Tree School District between September 14, 2016 – September 24, 2016. UPS tracking numbers are: 121168510305264522, 121168510305264522, 121168510305264522, 121168510305264522, 121168510305268493, 005794511233716, 005794511233716, 005794511233716, 005794511233716, 005794511233716, 005794511233716, 005794511233716, 005794511233716, <a href="https://dx.ncbi.org/12.11233716, 121168510305268493, <a href="https://dx.ncbi.org/12.11233716, <a href="https://dx.ncbi.org/12.11233716, <a href="https://dx.ncbi.org/12.11233716, 121168510305268493, <a href="https://dx.ncbi.org/12.11233716, https://dx.ncbi.org/12.11233716, <a href="https://dx.ncbi.org/12.11233716, https://dx.ncbi.org/12.11233716, <a href="https://dx.ncbi.org/12.11233716, <a href="https://dx.ncbi.org/12.11233716, <a href="https://dx.ncbi.org/12.11233716, <a href="https://dx.ncbi.org/12.11233716, <

I have attached all documentation that we have available to submit, including past communication.

We appreciate your consideration.

Please feel free to contact me with any other questions or recommendations.

Respectfully,

Kera Pinard

Manager of Corporate Credit & Accounts Payable

P: 315.476.3000 x2165

Kera.pinard@cxtec.com

www.cxtec.com









Remit To CXtec PO Box 5211 - Dept 116003 Binghamton, NY 13902-5211

CXtec is a DBA of CABLExpress Corporation

Offices: 315-476-3000 Sales Fax: 315-455-1800 Tax ID: 16-1105670 SHIP TO: Mountain View-Birch Tree School District R3 1054 Old Highway 60 Mountain View, MO 65548

To Take	INVO	ICE	7.0			
Number CI8812						
Date 15-Sep-16						
Purchase Order						
ERATE-4103						
Customer Number Site Id						
100655 752254						

BILL TO: Accounts Payable Mountain View-Birch Tree School District R3 1054 Old Highway 60 Mountain View, MO 65548

TERMS				CUSTOMER CONTACT				
SHIP DA	V 107		Green		Accounts Payable FOB ORIGIN			
TEM PARTA		UMBER/DESCRIPTION		QUANTITY		UNIT PRICE	EXTENSION	
NO.	VO.			ORDERED	SHIPPED	UNITERICE	EXTENSION	
1	269116 24IN HIGH x 21.25IN WIDE x 24.50IN DEEP 12U WALL MOUNT SWING RACK DEEP				24	219.00	5,256.00	
2	298484 UBIQUITI UniFi UAP-AC-PRO IEEE 802.11ac 1.27 Gbit/s WIRELESS ACCESS POINT 5 PACK Serial Numbers: 802AA886AAE6, 802AA886AB13, 802AA8867C10, 802AA8867E67, 802AA8867656, 802AA8867681, 802AA886779F, 802AA88687A8				8	699.00	5,592.00	
3	220469 RJ11/RJ45 CRIMP TOOL/STRIPPER KIT				1	99.00	99.00	
4	274550 1000FT CAT6 550MHz SOLID UTP BLUE PLENUM CABLE PULL BOX				5	315.00	1,575.00	
5	FREIGHT SHIPPING/HANDLING CHARGE - TOTAL FOR ORDER				1	414.54	414.54	
3	265261 CABLEXPRESS 1U (24 PORT) MODULAR PATCH PANEL LOADED WITH CAT6 FEED THRU ADAPTERS				12	125.00	1,500.00	
7	203865 3FT CABLExpress CAT6 RJ45/RJ45 568B MOLDED BOOT BLUE CABLE				150	1.60	240.00	
В	203904 7FT CABLExpress CAT6 RJ45/RJ45 568B MOLDED BOOT BLUE CABLE				50	2.30	115.00	
9	245556 CAT6 8 POSITION RJ45 SOLID/STRANDED UTP STRAIGHT PINNED MODULAR PLUG 25 PACK				4	15.00	60.00	
10	288891 equal2new 2920 24G POE+ \$WITCH Serial Numbers: SG65FLX4V4, 13374422, SG65FLX4TR, 13374423, SG65FLX4V6, 13374427				3	1,015.00	3,045.00	
11	E-Rate 80% paid by SLD), FRN 1699115822		-1	-1	13,985.60	-13,985.60	
						SUBTOT	AL 3,910.94	

TOTAL 3,910.94

All prices are in U.S. dollars

PURCHASE ORDER

13221-0000

PO # 4103

VENDOR PHONE: (315) 476-3000

VENDOR FAX:

(315) 455-1800

VENDOR:

YEAR: 2016-17

VENDOR NO: 1903

ORDER DATE: 09/14/16

SHIP DATE:

PHONE NO: (417) 934-5408

TAX EXEMPT NO: 12562181

ACCOUNT NO:

UNIT PRICE

0.00

ATTENTION: M MCAFEE

BILL

MOUNTAIN VIEW-BIRCH TREE R-III

1054 OLD HWY 60 TO:

SHIP MTN VIEW-BIRCH TREE SCH

TO: 1054 OLD HWY 60

MOUNTAIN VIEW

MO 6554B-0464

CXTEC

SYRACUSE

5404 SOUTH BAY ROAD PO BOX 4799

MOUNTAIN VIEW

105 11

QTY UNIT CATALOG NUMBER 1

DESCRIPTION ERATE EQUIPMENT FROM CXTEC 20%

USAC ERATE -MVBT 20%

11516411 105 11

ACCOUNT CODE NUMBER

11516411

3,910:94

0.5 0 %

DISCOUNT #

1

MVBT HAS FILED A FORM 486 LETTER WITH USAC

TOTAL:

3.910.94

BILL TO: RHENRY@LIBERTY.MVBT.K12.MO.US

NEW BILL & SHIP ADDRESS: 1054 OLD HWY 60

DATE

4179345464

60:41 9102/41/60



CXInc is a DUA of CABLExpress Corporation

Quote#

10914232

Expires:

12/30/2016

Prepared By:

Michael Green

315-883-3777

mgreen@cxtec.com

Requested By:

Mountain View-Birch Tree School District

Mike Mcafee Fax:

Ship To: Mike Mcafee

1054 Old Highway 60

Mountain View, MO 65548 United States

Bill To: Mike Mcafee

1054 Old Highway 60

Mountain View, MO 65548

United States

Notes:

470: 160042932

CXtec ERATE SPIN NUMBER: 143005790

We are quoting CABLExpress branded cable products, Great Lakes wall mount cabinets, new Ubiquiti Access Points, and equal2new HP switches.

The HP switches are certified equal2new and will be fully tested and individually bar-coded to ship with a Lifetime Warranty, first year

Advance Replacement.

CXtec is an ISO:9001 certified company, in business since 1978.

QTY	Mfr Part No.	Description	Unit Price	Ext Price
150	CBX-CP-6SMBBL-003	3FT CABLExpress CAT6 RJ45/RJ45 568B MOLDED BOOT BLUE CABLE	\$1.60	\$240.00
50	CBX-CP-6SMBBL-007	7FT CABLExpress CAT6 RJ45/RJ45 568B MOLDED BOOT BLUE CABLE	\$2.30	\$115.00
5	PRO-149-6BL-550	1000FT CAT6 550MHz SOLID UTP BLUE PLENUM CABLE PULL BOX	\$315.00	\$1,575.00
4	85-366	CAT6 8 POSITION RJ45 SOLID/STRANDED UTP STRAIGHT PINNED MODULAR PLUG 25 PACK	\$15.00	\$60.00
1	33-750	RJ11/RJ45 CRIMP TOOL/STRIPPER KIT	\$99.00	\$99.00
12	1UCOPPER24FP-L6	CABLEXPRESS 1U (24 PORT) MODULAR PATCH PANEL LOADED WITH CAT6 FEED THRU ADAPTERS	\$125.00	\$1,500.00
24	GL24\$RD	24IN HIGH x 21.25IN WIDE x 24.50IN DEEP 12U WALL MOUNT SWING RACK DEEP	\$219.00	\$5,256.00
3	J9727A#ABA	equal2new 2920 24G POE+ SWITCH	\$1,015.00	\$3,045.00
8	UAP-AC-PRO	UBIQUITI UniFi UAP-AC-PRO IEEE 802.11ac 1.27 Gbit/s WIRELESS ACCESS POINT 5 PACK	\$699.00	\$5,592.00
			Subtotal	\$17,482.00
	Payment Te	rms: 30 Days	Combined Subtotals	\$17,482.00
			Freight	\$414.54
			Tax	\$0.00
		TOTAL	PURCHASE PRICE	\$17.896.54

Shipping Information

Priority

GROUND

Carrier

UPS

CXtec 5404 South Bay Road P.O. Box 4799 Syracusa NY 13221-4799 www.cxtec.com

www.cablexpress.com

Terms

Prepaid & Add

(Purchase Order Must Be For This Amount)

FOB

Origin/Shipping

North American Offices: North American Fax: International Offices: International Fax:

315.476.3000 315.455.1800 011.315,476,3100 011.315.455.1800

\$17,896.54







Terms & Conditions

Shipping Information: To accommodate your shipping preferences, CXtec will make every effort to bill your freight carrier account directly. Sometimes we are unable to comply with this request due to limitations based on carrier availability, shipment weight, or other circumstances. When this occurs, CXtec will ensure that the product is shipped to you in the most economical way and will inform you of any associated costs subject to additional billing.

Freight charges are prepaid & add, Syracuse, NY.

Warranty Information: equal2new® Products carry a limited lifetime warranty (1st year advance replacement), with the exception of equal2new APC products, which carry a 2 year warranty; all as standard business practice.

CABLExpress® products carry a limited lifetime warranty on parts and labor. This warranty is void if the products are subjected to physical damage.

New Equipment and Premise Wiring Product: CXtec warrants that any item will be in compliance with the original manufacturer's warranty from the date of shipment. Alteration, abuse or misuse voids all warranties. Some products have extended warranties available or may have warranties exceeding the standards listed.

Return Information: All returns must be pre-approved, issued a Return Material Authorization # prior to returning, and shipped prepaid to CXtec. Returnable items may be subject to a restocking fee. Opened products, custom cables, bulk cable, connectors, tools, test equipment, configured products, special orders, discontinued items, and items held more than 30 days are not returnable.

Payment Information: CXtec standard terms are net 30 for customers with approved credit. An account can be established by submitting a completed credit application (available upon request). Instant credit will be extended for companies favorably rated by D&B. All purchase orders must be for the full purchase price plus taxes and freight as applicable. To expedite your order and keep order processing costs down, we request all orders under \$50 be billed to your MasterCard, Visa, Discover, American Express or Diners Club.

Billing Information: CXtec utilizes electronic invoicing practices, and will email all invoices to the "Bill To" contact referenced on the customer's purchase order.

Confidentiality Notice: This document, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender and destroy all copies of the original document.

All orders subject to Terms and Conditions located at http://www.cxtec.com/cxtecterms.

The person signing below is authorized to approve this purchase.

9-14-16

All amounts are in US Dollars.

equal2new prices and product availability are subject to market fluctuations. Prices on new items are subject to manufacturer price variations,

CXlec 5404 South Say Road P.O. Box 4799 Syracuse NY 13221-4799 www.cxtec.com www.cablexpress.com

North American Offices: North American Fax: International Offices: International Fax:

315,476,3000 315.455.1800 011.315.476.3100 011,315,455,1800

0

Actions

Records Funding Requests

cat2big - 1699115822*

742

てのよう

Funding Request Details

FRN 1699115822

FCC Form 471 #161050593 Nickname cat2big

Applicant MT VIEW-BIRCH TREE SCH DIST R3 (BEN: 137417)

Summary Service Agreement Details FRN Line Items FCDL Comments FCC Forms Appeals SON Changes Service Substitutions News Related Actions

Service Type Internal Connections

Service Provider Cablexpress Corporation (SPIN: 143005790)

Service Start Date 7/1/2016

Contract Expiration 12/30/2016

Service Delivery 9/30/2017 Deadline Status Funded

Narrative

Blue cable, plugs, tool stripper patch panel, racks POE switch and wifi access points.

FRN Calculation

Monthly Charges

Total Monthly Recurring Charges

Total Monthly Ineligible Charges

Total Monthly Eligible Charges

Total Number of Months of Service

Total Requested Amount

Total Eligible Pre-Discount Recurring Charges

Total Eligible Pre-Discount One-Time Charges

- \$0.00

Total Pre-Discount Charges

Discount Rate

× 6

\$0,00

= \$0.00

+ \$17,482.00

\$0.00

= \$17,482.00

80%

Deadline

Narrative

Blue cable, plugs, tool stripper, patch panel, racks, POE switch and wifi access points.

FRN Calculation

Total Eligible Pre-Discount One-Time Charges	Total Ineligible One-Time Charges	Total One-Time Charges	One-Time Charges	Total Eligible Pre-Discount Recurring Charges	Total Number of Months of Service	Total Monthly Eligible Charges	Total Monthly Ineligible Charges	Total Monthly Recurring Charges	Monthly Charges
= \$17,482.00	- \$0.00	\$17,482.00		= \$0.00	×6	= \$0.00	- \$0.00	\$0.00	
				Funding Commitment Request	Discount Rate	Total Pre-Discount Charges	Total Eligible Pre-Discount One-Time Charges	Total Eligible Pre-Discount Recurring Charges	Total Requested Amount
				= \$13,985.60	80%	= \$17,482.00	+ \$17,482.00	\$0.00	

Invoicing Status

Ready for Invoicing? No

Chinquapin Preparatory School, TX, Application No. 945296, Request for Waiver, CC Docket No. 02-6 (filed Oct. 18, 2016)

CXtec, Inc. (Martinsville School District), VA, Application No. 161027356, Request for Waiver, CC Docket No. 02-6 (filed Nov. 2, 2018)

CXtec, Inc. (Mountain View-Birch Tree School District), VA, Application No. 16105093, Request for Waiver, CC Docket No. 02-6 (filed Oct. 31, 2018)

CXtec, Inc. (Northeast Bradford School District), PA, Application No. 161030048, Request for Waiver, CC Docket No. 02-6 (filed Oct. 31, 2018)

East Newton School District R6, MO, Application No. 1015414, Request for Waiver, CC Docket No. 02-6 (filed Dec. 5, 2016)

ePlus Technology, Inc. (Kearny School District), NJ, Application No. 161056024, Request for Waiver, CC Docket No. 02-6 (filed Feb. 19, 2019)

Independent School District #756 of Minnesota, MN, Application No. 161005490, Request for Waiver, CC Docket No. 02-6 (filed Nov. 14, 2017)

McIver's Grant Public Library, TN, Application No. 171003366, Request for Waiver, CC Docket No. 02-6 (Feb. 27, 2019)

Moffat School District 2, CO, Application No. 161006927, Request for Waiver, CC Docket No. 02-6 (filed Oct. 19, 2017)

New Simpson Hill CSD#32, IL, Application No. 171005686, Request for Waiver, CC Docket No. 02-6 (filed Feb. 19, 2019)

Socket Telecom, LLC (Great Circle), MO, Application No. 161017267, Request for Waiver, CC Docket No. 02-6 (filed Aug. 10, 2018)

TCA Communications (Batesville Public School District), AR, Application No. 171003025, Request for Waiver, CC Docket No. 02-6 (filed Jan. 29, 2019)

United Systems, Inc. (Seiling Independent School District 8), OK, Application No. 171037046, Request for Waiver, CC Docket No. 02-6 (filed Feb. 20, 2019)

Late-Filed FCC Form 471 Applications²¹

Briarfield Academy, LA, No Application No., Request for Waiver, CC Docket No. 02-6 (filed March 8, 2019)

Eastmont School District, WA, Application No. 181043503, Request for Waiver, CC Docket No. 02-6 (filed Dec. 17, 2018)

²¹ See, e.g., Requests for Waiver and Review of Decisions of the Universal Service Administrator by Academy of Math and Science; Schools and Libraries Universal Service Support Mechanism, CC Docket No. 02-6, Order, 25 FCC Rcd 9256, 9261-62, para. 13 (2010) (Academy of Math and Science Order) (denying requests for waiver of the FCC Form 471 filing window deadline where petitioners failed to present special circumstances justifying waiver of our rules).

Submit a Filing







Proceeding:

02-6

Confirmation #:

2018103193235661

Submitted:

Oct 31, 2018 3:23:18 PM

Status:

RECEIVED

Name(s) of Filer(s)

Irene Brown

Law Firm(s)

Attorney/Author Name(s)

Primary Contact Email

accounting-ar@cxtec.com

Type of Filing

File Number

Report Number

Bureau ID Number

Address of

Filer

Address

5404 South Bay Road, Syracuse, NY, 13212

Email Confirmation

No

Submit Another C

Good Afternoon,

I am reaching out for a waiver for an invoice that was denied by USAC due to the invoice being submitted after the acceptable timeframe. My information is below:

Service Provider: CXtec Inc.

SPIN: 143005790

Contact Person: Irene Brown

Telephone number: 315-476-1800 ex 2284

Contact email address: accounting-ar@cxtec.com, ibrown@cxtec.com

We are seeking payment of \$13,985.60 for an order placed by Mountain View-Birch Tree School District R3 (FRN:1699115822) placed on September 15th, 2016. The Customer has paid their 20% of the order which totaled \$3,910.94. This was paid on October 24th, 2016. Customer received all the product.

I have attached the Customer Purchase order, our invoice to the customer, and the invoice submitted to USAC. Please let me know if any other information needs to be provided.

Irene Brown

Page 1 of 1



IMPORTANT

Please record this invoice's information in a secure place for future records

InvoiceID: 2853293 Security Code: 48771

Continue>>

Home | Client Service Bureau: 1-888-203-8100

1997-2018 © , Universal Service Administrative Company, All Rights Reserved.

Customer service case: 253952

FKN:

POY)

Sales Order, Payment Date CI 7 on Date paid

Purchase, Delhevered, Paid,

FCC Form 474	Do not write in this space.	Approved by OMB OMB Control No. 3060 – 0856 Estimated time per response: 1.0 hour
Please read instructions before completing	Schools and Libraries Universal Service Service Provider Invoice FCC Form 474	
Service Provider Form Identifier		FCC Form 474 Invoice # _2853293 (To be inserted by administrator)
Block 1: Service Provider Informatio	n	
1. Service Provider Name CXtec Inc	J	
2. Service Provider Identification Nu	mber (SPIN) 143005790	
3. Contact Person's Name Irene Bro	own	
4. Contact Telephone Number	Area Code: 315 Phone Number: 4763000 Ex	xt.
Contact Fax Number	Area Code: 315 Fax Number: 4551800	
Contact Email Address accounting	g-ar@cxtec.com	
5. Total invoice Amount (total of Bloo	k 2, Column 13) 13985.60	

Page 1 of 4

FCC Form 474

July 2016

Approved by OMB OMB Control No. 3060 – 0856

SPIN 143005790								
Service Provider Form Identifier 1044074								
Contact Person Irene Brown								
Contact Telephone Number 315-4763000								
Block 2: Funding Request Number Information								
6. 7. FUND FUND FOR SUBJECT OF SU								
For each FRN, there should be an entry in Column 9 or Column 10 but NOT BOTH								
161050593	1699115822	ONE-TIME	09/01/2016		17482	80	13985 60	
TOTAL REIMBURSEMENT AMOUNT TO BE ENTERED INTO ITEM 5								

Page 2 of 4

FCC Form 474

July 2016

Page 3 of 4

Approved by OMB OMB Control No. 3060 - 0856

Service Provider Invoice FCC Form 474					
Service Provider Form Identifier					
Contact Person Irene Brown					
Contact Telephone Number <u>315-4763000</u>					
Block 3: Service Provider Certifications & Signature					
I declare under penalty of perjury that the foregoing is true and correct Service Provider Invoice Form (FCC Form 474) and acknowledge to the belief, as follows:					
 A. I certify that this Service Provider is in compliance with the rules and orders governing the schools and libraries universal service support program and I acknowledge that failure to be in compliance and remain in compliance with those rules and orders may result in the denial of discount funding and/or cancellation of funding commitments. B. I certify that the certifications made on the Service Provider Annual Certification Form (FCC Form 473) by this Service Provider are true and correct. C. I acknowledge that failure to comply with the rules and orders governing the schools and libraries universal service support program could result in civil or criminal prosecution by law enforcement authorities. 					
14. Signature of authorized person ☑ 15. Date 8/27/2018					
16. Printed name of authorized person Irene Brown					
17. Title or position of authorized person Credit and Collections Analyst					
18. Telephone number of authorized person 315-4763000					
19. Address of authorized person 5404 South Bay Road Syracuse NY, 13212					

FCC Form 474

July 2016

Approved by OMB OMB Control NO. 3060 – 0856

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

Part 54 of the Commission's Rules authorizes the FCC to collect the information on this form. Failure to provide all requested information will delay the processing of the application or result in the application being returned without action. Information requested by this form will be available for public inspection. Your response is required to obtain the requested authorization.

The public reporting for this collection of information is estimated to range from 1 to 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PERM, Paperwork Reduction Act Project (3060-0856), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND YOUR RESPONSE TO THIS FORM TO THIS ADDRESS.

Remember – You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0856.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.

Do not staple the FCC Form 474.

Page 4 of 4 FCC Form 474 July 2016